

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA

v.

EDUARDO PINEDA (1)

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CASE NO. 6:17-cr-39

ORDER DENYING DEFENDANT’S UNOPPOSED MOTION FOR CONTINUANCE

This case is set for final pretrial on March 27, 2018 and jury selection and trial on April 16, 2018. Defendant Eduardo Pineda (1) filed an Unopposed Motion for Continuance on February 28, 2018. [Dkt. #84]. After considering the motion and reviewing the pleadings on file, the court finds that the motion should be **DENIED**.

Defendant Pineda made an initial appearance regarding Information before U.S. Magistrate Judge John D. Love on November 22, 2017. The court granted Defendant Pineda’s Motion to Withdraw Plea of Guilty [Dkt. #68] and set trial for February 12, 2018 [Dkt. #74]. On January 11, 2018, Defendant Pineda filed an Unopposed Motion to Continue [Dkt. #76], which the court granted and trial was rescheduled to April 16, 2018 [Dkt. #78].

The present motion is virtually the same as the previous motion and presents no good explanation of a need for another continuance.

After considering the history of this case, taking into account the circumstances involved, and the Defendant’s request for “additional time” do not justify a continuance, the Court finds that the motion for continuance should be denied. It is therefore **ORDERED** that Defendant Eduardo Pineda’s Unopposed Motion for Continuance [Dkt. #84] is **DENIED**.

In the event a change of plea has not been entered prior to **March 21, 2018**, the parties are ordered to file all necessary trial documents as outlined in the Scheduling Order and appear at the Final Pretrial Hearing set for March 27, 2018 at 9:30 a.m. and Jury Selection and Trial on April 16, 2018 at 10:00 a.m. in Tyler, Texas.

So Ordered and Signed

Mar 9, 2018

A handwritten signature in cursive script, appearing to read "Ron Clark", written in black ink.

Ron Clark, United States District Judge